

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: KATO =18

In re Application of:)	Art Unit: 1642
)	
Ikunoshin KATO et al)	Examiner:
)	
Appln. No.: 09/937,375)	Washington, D.C.
)	
Filed: September 24, 2001)	August 4, 2003
)	
For: GENE THERAPEUTICS)	Confirmation No.: 8012

INFORMATION DISCLOSURE STATEMENT [IDS]

RECEIVED

Honorable Commissioner of Patents and Trademarks
P.O. Box 1450
Alexandria, VA 22313-1450

AUG 05 2003

TECH CENTER 1600/2900

Sir :

This Information Disclosure Statement is submitted in accordance with 37 CFR §§1.97, 1.98, and it is requested that the information set forth in this statement and in the listed documents be considered during the pendency of the above-identified application, and any other application relying on the filing date of the above-identified application or cross-referencing it as a related application.

[X] 1. This IDS should be considered, in accordance with 37 CFR §1.97, as it is filed before the mailing date of a first office action on the merits.

[X] 2. In accordance with 37 CFR §1.98, this IDS includes a list (e.g., form PTO/SB/08A) of all patents, publications, or other information submitted for consideration by the office, either incorporated into this IDS or as an attachment hereto. A copy of each document listed is attached.


[X] 3. No explanation of relevance is necessary for documents in the English language (see reply to Comments 67 and 68 in the preamble to the final rules; 1135 OG 13 at 20). However, a concise explanation of relevance is being provided in the form of the attached Supplementary Partial European Search Report.

4. In accordance with 37 CFR §§1.97(g) and (h), the filing of this IDS should not be construed as a representation that a search has been made or that information cited is, or is considered to be, material to patentability as defined in §1.56 (b), or that any cited document listed or attached is (or constitutes) prior art. Unless otherwise indicated, the date of publication indicated for an item is taken from the face of the item and Applicant(s) reserves the right to prove that the date of publication is in fact different.

Respectfully submitted,

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**SUPPLEMENTARY
PARTIAL EUROPEAN SEARCH REPORT**

Application Number

which under Rule 45 of the European Patent Convention EP 00 90 8055
shall be considered, for the purposes of subsequent
proceedings, as the European search report

DOCUMENTS CONSIDERED TO BE RELEVANT			
Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	CLASSIFICATION OF THE APPLICATION (Int.Cl.7)
AD Y	NAMBA H ET AL: "Bystander effect-mediated therapy of experimental brain tumor by genetically engineered tumor cells." HUMAN GENE THERAPY. UNITED STATES 1 JAN 1998, vol. 9, no. 1, 1 January 1998 (1998-01-01), pages 5-11, XP009011552 ISSN: 1043-0342 * the whole document *	1-32	A61K48/00 A61K31/70 /(A61K31/70, 35:12, 35:28, 35:30, 38:02, 38:16, 38:19, 38:22, 38:43, 39:395)
AK Y	HANENBERG H ET AL: "COLOCALIZATION OF RETROVIRUS AND TARGET CELLS ON SPECIFIC FIBRONECTIN FRAGMENTS INCREASES GENETIC TRANSDUCTION OF MAMMALIAN CELLS" NATURE MEDICINE, NATURE PUBLISHING, CO, US, vol. 2, no. 5, August 1996 (1996-08), pages 876-882, XP002928787 ISSN: 1078-8956 * the whole document *	1-32	TECHNICAL FIELDS SEARCHED (Int.Cl.7) A61K C12N
The supplementary search report has been based on the last set of claims valid and available at the start of the search.			
INCOMPLETE SEARCH			
The Search Division considers that the present application, or some or all of its claims, does/do not comply with the EPC to such an extent that a meaningful search into the state of the art cannot be carried out, or can only be carried out partially, for the following claims: Claims searched completely : Claims searched incompletely : Claims not searched : Reason for the limitation of the search: see sheet C			
Place of search MUNICH		Date of completion of the search 28 May 2003	Examiner Heder, A
CATEGORY OF CITED DOCUMENTS X : particularly relevant if taken alone Y : particularly relevant if combined with another document of the same category A : technological background O : non-written disclosure P : intermediate document T : theory or principle underlying the invention E : earlier patent document, but published on, or after the filing date D : document cited in the application L : document cited for other reasons & : member of the same patent family, corresponding document			



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SUPPLEMENTARY
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Application Number
EP 00 90 8055

DOCUMENTS CONSIDERED TO BE RELEVANT			CLASSIFICATION OF THE APPLICATION (Int.Cl.7)
Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	
AN T	HARRINGTON KEVIN ET AL: "Cells as vehicles for cancer gene therapy: the missing link between targeted vectors and systemic delivery?" HUMAN GENE THERAPY. UNITED STATES 20 JUL 2002, vol. 13, no. 11, 20 July 2002 (2002-07-20), pages 1263-1280, XP002242755 ISSN: 1043-0342 -----		
			TECHNICAL FIELDS SEARCHED (Int.Cl.7)